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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

U.S. BANK NATIONAL ASSOCIATION,  
AS TRUSTEE, SUCCESSOR IN  
INTEREST TO WACHOVIA BANK, N.A.  
AS TRUSTEE FOR MLMI 2005-A8,

Plaintiff,

vs.

LVDG LLC SERIES 114, a Nevada  
limited liability company; AIRMOTIVE  
INVESTMENTS LLC, a Nevada limited  
liability company; LA MANCHA  
HOMEOWNERS ASSOCIATION, INC., a  
Nevada non-profit corporation,

Defendants.

Case No. 2:17-cv-00285-JAD-PAL

ORDER GRANTING  
JOINT MOTION TO DISMISS LA  
MANCHA HOMEOWNERS  
ASSOCIATION, INC.

ECF No. 18, 24

Plaintiff U.S. Bank National Association, As Trustee, Successor in Interest to Wachovia Bank, N.A. as Trustee for MLMI 2005-A8 (“U.S. Bank”), by and through its attorney, Ballard Spahr, LLP and Defendant La Mancha Homeowners Association, Inc. (the “HOA”)(collectively, the “Parties”) by and through its attorney, Boyack, Orme & Anthony jointly move to dismiss Defendant La Mancha Homeowners Association. The Parties state:

1. On January 31, 2017, U.S. Bank filed a complaint, naming the HOA as a party.

2. Plaintiff agrees to dismiss the HOA with prejudice.

3. The Parties agree that the HOA, although no longer a party to this case, shall be bound by and cooperate in the enforcement of any final judgment that this Court enters regarding quieting title and declaratory relief as between the remaining Defendants, Plaintiff, and any other party, regarding their respective interests in property located at 3232 La Mancha Way, Henderson, Nevada 89014.

4. The HOA further agrees to respond to any third party discovery propounded on it after the HOA's dismissal in accordance with the Scheduling Order in this matter.

5. The HOA and Plaintiff shall each bear its own fees and costs incurred in this matter, and the HOA hereby waives any and all rights to recover costs and fees from Plaintiff that either have arisen, or that may arise in the future, based on the offer of judgment that the HOA served on Plaintiff earlier in this action.

6. The HOA and Plaintiff further agree that the Motion to Dismiss filed by the HOA on April 10, 2017 is rendered moot [ECF 18] by this stipulation and that the hearing set for May 22, 2017 is also moot [ECF 19].

Dated: April 24, 2017

Dated: April 24, 2017

BOYACK ORME & ANTHONY

BALLARD SPAHR LLP

By: /s/ Adam J. Breeden  
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*Attorney for La Mancha  
Homeowners Association*


*Attorneys for Plaintiff*

**ORDER**

Based on the parties' joint motion and good cause appearing, IT IS HEREBY ORDERED that the Joint Motion to Dismiss [ECF No. 24] is **GRANTED**; all claims against the La Mancha Homeowners Association, Inc. are **DISMISSED** with prejudice, each side to bear its own fees and costs.

IT IS FURTHER ORDERED that the HOA's Motion to Dismiss [ECF No. 18] is **DENIED** as moot, and the 5/22/17 hearing is **VACATED**.

**IT IS FURTHER ORDERED** that the HOA shall be bound by and cooperate in the enforcement of any final judgment that this Court enters on the claims for quieting title and declaratory relief as between the remaining Defendants, Plaintiff, and any other party, regarding priority of the respective interests in title to the Subject Property.

  
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U.S. District Judge Jennifer Dorsey  
4/25/17